

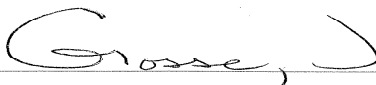
IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

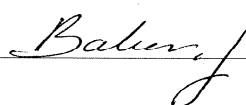
STATE OF WASHINGTON,)	
)	No. 57414-1-I
Respondent,)	
)	DIVISION ONE
v.)	
)	
BRUCE PULEAVA SAIAANA,)	UNPUBLISHED OPINION
)	
Appellant.)	FILED: August 14, 2006
)	

Per Curiam. Bruce Saiaana appeals from the order of restitution entered following his convictions for rendering criminal assistance in the first and second degree. The State concedes that the restitution order was entered untimely under RCW 9.94A.753(1) and was unsupported because Saiaana did not agree to pay restitution for uncharged offenses in his plea agreement. Following review of the record, which shows the trial court was apparently misled by the prosecutor's incorrect representation of the statutory deadline, we accept the State's concession of error. See State v. Johnson, 96 Wn. App. 813, 816, 981 P.2d 25 (1999) (extension of time for restitution order must enter before statutory period runs); State v. Dauenhauer, 103 Wn. App. 373, 378, 12 P.3d 661 (2000) (restitution for uncharged crimes is proper only if the offender expressly agrees to restitution for those crimes in his plea agreement).

Accordingly, the order of restitution is vacated.

For the court:





No. XXXXX-X--1/2

Elmington, J